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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

MELISSA C. TOFTEE,	)	Case No.: 1:24-cv-01139-BAM
	)	
Plaintiff,	)	STIPULATION AND <del>[PROPOSED]</del> ORDER
	)	FOR AN EXTENSION OF TIME
vs.	)	
	)	
COMMISSIONER OF SOCIAL SECURITY,	)	
	)	
Defendant.	)	

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that the time for Defendant to respond to Plaintiff's Motion for Summary Judgment be extended thirty-six (36) days from January 22, 2025, up to and including February 27, 2025. This is the Defendant's first extension request.

This case along with several others was just assigned to the undersigned counsel. Defendant requests this extension in order to review the record; evaluate the issues raised in Plaintiff's brief; determine whether options exist for settlement; and if not, to prepare Defendant's response to Plaintiff's motion. Defendant's counsel will endeavor to complete

these tasks as soon as possible. This request is made in good faith and with no intention to unduly delay the proceedings, and counsel apologizes for any inconvenience.

The parties further stipulate that the Court's Scheduling Order shall be modified accordingly.

Respectfully submitted,

PENA AND BROMBERG, PC

Dated: January 21, 2025

/s/ Jonathan Omar Pena\*

(\*as authorized via e-mail)

JONATHAN OMAR PENA

Attorney for Plaintiff

Dated: January 21, 2025

PHILLIP A. TALBERT

United States Attorney

MATHEW W. PILE

Associate General Counsel

Social Security Administration

By: /s/ Michelle A. Pavelek

MICHELLE A. PAVELEK

Special Assistant U.S. Attorney

Attorneys for Defendant

### **ORDER**

Pursuant to the parties' stipulation, and cause appearing, Defendant shall have an extension, up to and including February 27, 2025, to respond to Plaintiff's Brief and Plaintiff's optional reply brief will be extended to March 13 2025.

IT IS SO ORDERED.

Dated: January 21, 2025

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE